

Exhibit

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RENALDO NAVARRO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RENALDO NAVARRO,

Plaintiff,

vs.

MENZIES AVIATION, INC., doing
business as MENZIES and DOES 1 through
10, inclusive.

Defendants.

Case No.: 3:10-cv-08157 VC

**DECLARATION OF JEZEN B. CANLAS
IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO SUMMARY JUDGMENT**

Date: November 19, 2020
Time: 10:00 a.m.
Place: video conference link

Hon. Vince Chhabria
San Francisco Courthouse
Courtroom 4 – 17th Floor

Action Removed: December 16, 2019
Action Filed: October 23, 2019

1 I, Jezen B. Canlas, have personal knowledge of the matters stated herein and if called upon
2 as a witness, I would competently testify as follows:

3 1. I started working at ASIG since July of 2002, as a fueler, until the company was
4 bought by Menzies Aviation, Inc. ("Defendant"). I continued to work for Defendant, until I left
5 the company in 2020.

6 2. In 2017 and 2018 I was a fueler who was helping the Union.

7 3. In 2017 Andrew Dodge became a supervisor. He was only a fueler for one year.

8 4. Me, along with other fuelers believed that Mr. Dodge was less qualified in the job
9 of supervisor than many other Filipino fuelers who had been with the company for many years.
10 For example, I know of at least three fuelers who were all fuelers that had more seniority than
11 Andrew Dodge. These fuelers were better equipped to be supervisors.

12 5. Not long after Andrew Dodge became a supervisor, problems with the way he ran
13 his shifts happened. He also had many problems working with Filipino fuelers. Andrew Dodge
14 is white. I know that fuelers complained to management that they believe they were being
15 discriminated by Dodge in the years 2017 and 2018.

16 6. For example, often he would act as if he was a security force watching over the
17 Filipino fuelers, using his flash light.

18 7. Management, especially, Renil and John Qually treated Andrew Dodge with
19 favoritism. First of all, they did not even open the position of supervisor to everyone, and he got
20 the job as a supervisor. Also, when there were issues in Andrew Dodge shifts, John and Renil,
21 who are his managers did not get mad at him. But if us fuelers make mistakes, or if the supervisors
22 that are Filipino makes mistakes, I know that John and Renil would get mad at them. I remember
23 that Andrew Dodge caused a lot of delays to airlines schedules, because of fueling delays but he
24 was not reprimanded.

25 8. In or around July and August 2018, we fuelers started to talk to one another, started
26 a petition because we wanted our voices heard about the problems and concerns, we had about
27 one of Defendant's supervisor: Andrew Dodge.

28 9. We started the petition because when we complained to Defendant's management,
nothing was done. We, the fuelers, met and discussed what was the best thing to do. Our objective

1 was to let Defendant know and to take our concerns seriously about Mr. Dodge, who was not
2 really doing his job and not helping the company at all.

3 10. I collected all the concerns of the fuelers and started to write the petition letter on
4 behalf of the fuelers. The letter was passed around the fuelers. Those who agreed and believed
5 in what we are fighting for, signed the petition. Nobody was forced to sign the petition.

6 11. Mr. Navarro also signed the petition because he believed and understood what we
7 were fighting. Then, we asked Mr. Navarro the favor of handing over the letter to Defendant.

8 12. Mr. Navarro was not involved in any way in the organization of the petition.

9 13. Mr. Navarro did not ask anybody to sign the petition.

10 14. I want to be clear that it was me who organized the petition and Mr. Navarro did
11 not participate in the writing and asking fuelers to sign the petition. Mr. Navarro, being the
12 supervisor of the fuelers, did us the favor of submitting the petition to Defendant. That was the
13 extent of his involvement in the petition.

14 15. Between 2017 and 2018, management was aware that there were numerous
15 complaints against Mr. Dodge. There were complaints of meal breaks being missed, there were
16 complaints of harassment of fuelers, there were complaints of abuse of his authority. I personally
17 got complaints from fuelers about Dodge.

18 16. We were really surprised that instead of investigating Mr. Dodge, they fired Mr.
19 Navarro. I believe this way their way of making an example of the Filipinos for complaining.

20 17. Unlike Mr. Dodge, Mr. Navarro was well known for keeping flight schedules and
21 maintaining good harmonious relationships with fuelers. He did not abuse his authority and was
22 well like by fuelers of all races. He loved Menzies and was loyal.

1 18. When Menzies took over ASIG, between 2017 to 2018, we had not gotten any
2 employment handbooks, nor code of conduct documents. We were still using ASIG forms. The
3 handbook and code of conduct came later, after Mr. Navarro was already out of the company.

4 I declare under penalty of perjury under the laws of the United States and in the State of California
5 that the foregoing is true and correct.

6 *Jezen B canlas*

7 Oct 31, 2020

8 _____
Jezen B. Canlas

9 _____
Date

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Hi Jezen,
Please sign the declaration per Arlo Uriarte's request.
Thank you.

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Signature added, page 4:

Jezen B canlas

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